



U.S. Department of Justice

United States Attorney
Southern District of New York

The Silvio J. Mollo Building
One Saint Andrew's Plaza
New York, New York 10007

July 13, 2020

BY ECF AND EMAIL

The Honorable Ronnie Abrams
United States Magistrate Judge
Southern District of New York
40 Foley Square
New York, New York 10007

Re: *United States v. Gregory Mella, 20 Cr. 291 (RA)*

Dear Judge Abrams:

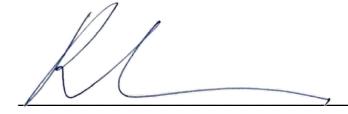
The Government writes to update the Court on the status of the defendant's transit to this District in connection with the above-referenced Indictment. (See Dkt. No. 7). After speaking with the United States Marshals Service ("USMS"), the Government understands that the defendant remains at the FDC Miami Bureau of Prisons ("BOP") facility, and had not been transported to this District earlier because of that facility's quarantine procedures. The Government further understands that the USMS is planning on transporting the defendant on the next scheduled flight from Miami, which is on July 29, 2020, if not sooner.

Accordingly, the Government respectfully requests that the Court adjourn the current control date for Mr. Mella's presentment and arraignment in this District from July 13, 2020, to July 30, 2020 (one day after the scheduled flight). The Government further submits that, in light of the quarantine just mentioned and other prisoner movement restrictions occasioned by the COVID-19 pandemic, the exclusion of time under the Speedy Trial Act is in the interests of justice, so as to ensure that the USMS can safely transport the defendant to this District. *See* 18 U.S.C. § 3161(h)(7)(A). Of course, if the USMS is able to transport the defendant sooner than July 29, 2020, the Government will promptly inform the Court.

The Government has spoken with the Miami assistant federal defender who represented the defendant in the Southern District of Florida presentment, and she has advised the Government that she is not in a position to make a representation on behalf of Mr. Mella in connection with this application, given the limited nature of her representation. The Government has also attempted to facilitate the appointment of counsel in this District for Mr. Mella before his arrival here, but was informed by this District's clerk's office that the defendant would have to consent to conduct an appointment-of-counsel proceeding remotely. While counsel in this District has been identified, and the Government is in the process of attempting to ascertain, through the Miami assistant federal defender, the defendant's position on having counsel

Application granted. The control date is adjourned to July 30, 2020. Time is excluded until July 30, 2020, under the Speedy Trial Act, pursuant to 18 U.S.C. 3161(h)(7)(a).

SO ORDERED.


Ronnie Abrams, U.S.D.J.
July 14, 2020

appointed remotely, ultimately, the Government is unsure of when that counsel could be appointed.

Respectfully submitted,

AUDREY STRAUSS
Acting United States Attorney

By:



Michael R. Herman

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